



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,874	06/24/2003	Kiyokazu Ieda	000409-042	1318
7590	11/30/2004		EXAMINER	
BURNS, DOANE, SWECKER & MATHIS, L.L.P.				HUANG, SIHONG
P.O. Box 1404 Alexandria, VA 22313-1404				ART UNIT PAPER NUMBER
				2632

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/601,874	IEDA ET AL.
	Examiner	Art Unit
	Sihong Huang	2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 24 June 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-6,13,14,17 and 20 is/are rejected.

7) Claim(s) 7-12,15,16,18 and 19 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/10/03

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Klein (US 6,648,493 B2).

Regarding claim 1, Klein disclosed a door opening/closing device for a vehicle comprising: a door handle (10) a door lock mechanism (col. 1, lines 7-9), a light-emitting means (33) included in the door handle (see in the figure) and visible from an outside of the door handle (col. 3, lines 40-44) and a control mechanism (col. 2, line 14 and 64, col. 4, line 1) for recognizing (by the electrode sensor 15 integrated in door handle) the opening/closing operation of the vehicle door based upon the operation of the door handle, operating the door lock mechanism so as to unlock (deactivating the lock, col. 2, line 52-53) the vehicle door when the opening operation of the vehicle door is recognized, operating the door lock mechanism so as to lock (activating lock, col. 2, line 52-53) the vehicle door when the closing operation of the vehicle door is recognized, and controlling the light-emitting means (33) to light-emit in response to the operation of the door lock mechanism (col. 2, line 14-16, col. 3, line 37-44).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klein (US 6,648,493 B2).

Klein differs from **claim 13** in that Klein does not disclose the light-emitting means is surrounded by a light diffusion resin. Examiner takes Official notice that providing a diffusion resin cover for light source within a vehicle is extremely well known in the art, and it would have been obvious to a person having ordinary skill in the art at the time of the invention to providing such resin cover in order to protect the light.

5. Claims 2-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein (US 6,648,493 B2) in view of Hara et al. (US 2001/0028297 A1).

Klein disclosed a door opening/closing device for a vehicle as discussed and further disclosed that the control mechanism recognized the vehicle door operating operation based upon the operation of the door hand under a condition that a portable station (data carrier) by a user is closed to the vehicle from a vehicle outside (col. 3, line 42 to col. 4, line 5, and col. 1, lines 52-64) and differs from **claim 2** in that Klein does not disclose recognizing of the portable station move from a vehicle inside to the vehicle outside. However, Hara et al teach such (pp 0132 and 0133 and Figs. 5A, 5B and 6). Based on the teaching, it would have been obvious to a person having ordinary skill in the art at the time of the invention to apply the teaching of Hara et al to

the device of Klein in order to allow the device to detect both moving conditions of a user who is in possession of the data carrier.

Regarding claim 3, Klein disclosed a first electrode and a second electrode (col. 2, lines 54-65).

Regarding claim 4, all vehicle doors have door switches, Hara et al further teach such switch 28.

Regarding claim 5, the control mechanism of Klein controls the light emitting means to light-emit when the control mechanism recognizes the portable station (data carrier) close to the vehicle (col. 3, lines 42 to col. 4, line 5, and col. 1, lines 52-64).

Regarding claim 6, the figure of Klein clearly shows two light sources (33), whether or not to control them individually or simultaneously would have been an obvious design choice. One motivation for doing it individually will be to save power or extend the life of the light source.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klein (US 6,648,493 B2) in view of Koops et al. (US 6,550,103 B2) and Friedman et al. (US 4,929,936).

Klein disclosed a method of recognizing an opening operation of a vehicle door comprising steps of: recognizing step (col. 1, line 55-57 and col. 2, line 5-7), controlling light-emitting step (col. 2, line 2, lines 15-16 and col. 3, line 42 to col. 4, line 5), judging step (15, col. 2, lines 8-13), and constraining light-emitting step (col. 2, line 2, lines 15-16 and col. 3, line 42 to col. 4, line 5). Klein does not disclose the light emitting means to emit light for a predetermined time in a different manner from a light emitting manner. However, Koops et al similarly teach a vehicle door with light emitting means. Koops et al teach the light emitting

means only illuminated for a period of time (col. 2, lines 60-62). Likewise, Friedman et al teach light emitting means wherein the light emitting means changes from one color to another color to indicate different status for a user (col. 1, lines 59-61 and col. 2, line 25-27). Based on the teaching of Koops et al and Friedman et al, it would have been obvious to a person having ordinary skill in the art to apply the teaching of Koops et al and Friedman et al to the door unit of Klein in order to allow the user to know the different operating statuses of the door and save the life expectancy of the light emitting means.

7. Claims 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein (US 6,648,493 B2) in view of Hara et al. (US 2001/0028297 A1) as applied to claims 2-6 above, and further in view of Friedman et al. (US 4,929,936).

The modified device of Klein and Hara et al disclosed the recognizing step, controlling step, judging step, lock step and controlling step as discussed above, and further differs from **claim 17** in that it does not control the light emitting means to emit light in a different manner from a light emitting manner. However, Friedman et al teach light emitting means wherein the light emitting means changes from one color to another color to indicate different status for a user (col. 1, lines 59-61 and col. 2, line 25-27). Based on the teaching of Friedman et al, it would have been obvious to a person having ordinary skill in the art to apply the teaching of Friedman et al to the door unit of Klein in order to allow the user to know the different operating statuses of the door.

Regarding claim 20, as discussed above, Klein disclosed controlling the light-emitting means to emit light can be performed when the user's hand is in contact with the door handle

(activated by sensor 15) and Hara et al disclosed moving of the user carrying a portable station from the vehicle inside to the vehicle outside.

Allowable Subject Matter

8. Claims 7-12, 15, 16, 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art references Dreimann et al. (US 6,809,630 B1) and Mentzel (WO 97/41322) are cited to show other motor vehicle door lock systems.

Prior art references Hulse (US 6,164,805) and Bach et al. (US 6,135,621) are cited to show illuminated handles.

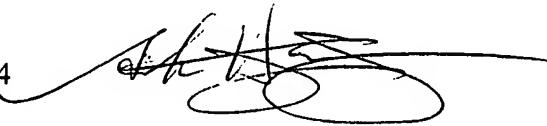
Prior art reference Misawa et al. (US 6,260,988 B1) is cited to show vehicle exterior lamp.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sihong Huang whose telephone number is 571-272-2958. The examiner can normally be reached on Mon, Thu & Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sihong Huang
November 26, 2004

A handwritten signature in black ink, appearing to read "Sihong Huang", is written over the date "November 26, 2004". The signature is fluid and cursive, with a large, stylized 'H' and 'S'.